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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

PHAM, TITO QUANG

ART UNIT

PAPER NUMBER

2667

DATE MAILED: 10/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/988,224

Applicant(s)

AALBERS ET AL.

Examiner

Tito Pham

Art Unit

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-8, 12-14, 16-22, 24-27, 30-32, and 34-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Tiuri (US Pat. 6,829,230).

- With regards to claim 1, Tiuri discloses a method of automatically configuring an entity comprising: receiving a message from the entity including geographical location information for the entity (column 2 lines 4-11, lines 38-43), and using the received geographical location information to assign an identifier to the entity (column 2 lines 38-43, lines 48-58).
- Regarding claim 2, Tiuri further discloses establishing a relationship between geographical location information for the entity and the entity (column 2 lines 11-19).

- With respects to claim 3, Tiuri shows determining the identifier using the received geographical location information and the established relationship (column 2 lines 11-19).
- Regarding claims 4 and 5, Tiuri reveals the identifier is a packet data address or domain name (column 2 lines 6-8), and wherein the established step further includes associating the geographical location information with the packet data address or domain name (abstract, column 2 lines 4-11).
- Regarding claim 6, Tiuri discloses providing the identifier to the entity (column 2 lines 5-6).
- Regarding claim 7, Tiuri shows the entity using the identifier in packet data communications (column 2 lines 6-8).
- With regards to claim 8, Tiuri discloses receiving and using steps are performed by a packet address server (figure 1 reference 1).
- Regarding claim 12, Tiuri discloses using the identifier to communicate packet information with the entity (column 2 lines 6-8).
- Regarding claims 13, 14, and 24 Tiuri shows the entity is a wire or wireless node (column 3 lines 57-64).
- With respects to claim 16, Tiuri discloses a communication system comprising: a host network (figure 1); multiple hosts coupled to the host network and capable of communicating packet data over the host network (figure 1); a packet address server (interpreted as figure 1 reference 1), coupled to a host network, configured to stored for each of plural hosts a

corresponding geographical location (column 4 lines 27-30, column 2 lines 17-19) (it is inherent that the PC could be used to provide addresses to more than one node); and a new host, coupled to the host network, configured to send a message requesting a packet data address, the message including geographical location information for the new host (figure 1 reference 1, column 6 lines 6-9, column 2 lines 54-57), wherein the packet address server is configured to determine a corresponding packet data address for the new host using the new host's geographical information (column 4 line 27-30, column 2 lines 17-19).

- Regarding claim 17, Tiuri discloses the packet address server is configured to provide the packet data address to the new host (column 4 lines 27-30).
- Regarding claim 18, Tiuri shows the packet data address is used by the host in packet communications over the host network (column 2 lines 6-8).
- With respects to claims 19-21, Tiuri discloses a communication system comprising: an operations or planning node (figure 1 reference 1) for providing to the packet address server (figure 1 reference 1) a list of host identifiers and corresponding geographical information wherein the list includes a predetermined packet data address or domain name for each host in the list (column 2 lines 16-19, 42-58). It is interpreted that the list of address or domain name is predetermined by the software algorithm based on the geographical location of the node.

- Regarding claim 22, Tiuri discloses the host network is a radio communications networks, the new host is a radio network node (column 3 lines 57-64), and the operations or planning node is a radio network planning node (figure 1 reference 1).
- Regarding claims 25, 26, 35 and 36 Tiuri discloses the host includes a geographical location receiver for receiving location information from which the receiver provides to the host geographical coordinates corresponding to the location of the host (column 4 lines 15-20) wherein the receiver is a GPS receiver (figure 1 reference 2) .
- With respects to claim 27, Tiuri discloses a network (figure 1) coupled to multiple hosts, a server coupled to the network, comprising electronic circuitry configured to: store for each of plural hosts corresponding geographical location information (figure 1 reference 1, column 4 lines 27-30); receive a message from a new host coupled to the network requesting a packet data address, the message including the geographical location information for the new host; and determine a corresponding identifier for the new host using the geographical location information for the new host (column 2 lines 54-58).
- Regarding claim 30, Tiuri discloses the electronic circuitry is configured to compare the geographical location information for the new host to a list provided by an operations entity that includes host geographical location information (column 4 lines 27-33, column 2 lines 17-19). It is inherent that

the geographical location and address relationship is written in the software of the PC.

- With respects to claim 31, Tiuri discloses a network coupled to multiple hosts (figure 1) and a server (figure 1 reference 1) coupled to the network and storing for each of plural hosts corresponding geographical location information, a new host node coupled to the network comprising electronic circuitry configured to: determine geographical location information for the new host (column 4 lines 15-20); generate a message to the server requesting an identifier, the message including the determined geographical location information; and received a response from the server including an identifier corresponding to the new host node (column 2 lines 48-58).
- Regarding claims 32, 34, and 37 Tiuri discloses the host network is a radio communication network and the new host node is a radio communication network node (column 3 lines 57-64).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 9-11, 23, 28, 29, and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tiuri in view of Mouko et al. (US Pat. 6,678,732) (hereinafter Mouko).

- Regarding claims 9 and 10, Tiuri discloses a method of receiving a message from an entity including geographical location information and using the received geographical information to assign an identifier to the entity. Tiuri does not show the communication protocol between the server and the entity is dynamic host configuration protocol (DHCP). However DHCP is a well-known client-server networking protocol where the DHCP server provides configuration parameters specific to the DHCP client host requesting, information required by the host to participate in the network. Moreover, Mouko discloses a client-server relationship using the dynamic host configuration protocol to allocate IP address to the client (column 2 lines 31-38). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include in Tiuri the dynamic host configuration protocol (DHCP) as the protocol of choice for the purpose of saving cost on equipment and training by using existing and well-known

- technology. One skilled in the art would have been motivated to generate the claimed invention with a reasonable expectation of success.
- Regarding claim 11, analysis in claim 9 is applicable. Tiuri does not show the server compares the geographical location to a list provided by an operations entity that includes geographical location information for each entity on the list. However, generating an address based on geographical location in Tiuri is equivalent to comparing to a list.
 - Regarding claims 23 and 28, Tiuri does not disclose the packet address server is a dynamic host configuration server, the message is a DHCPDISCOVER message, and the DHCP server provides an IP address to the host in a DHCPOFFER message. However, Mouko discloses the packet address server is a dynamic host configuration server (column 6 lines 22-24), the message is a DHCPDISCOVER message (figure 2, column 6 lines 25-30), and the DHCP server provides an IP address to the host in a DHCPOFFER message (figure 2, column 6 lines 52-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include in Tiuri the dynamic host configuration protocol (DHCP) as the protocol of choice for the purpose of saving cost on equipment and training by using existing and well-known technology. One skilled in the art would have been motivated to generate the claimed invention with a reasonable expectation of success.

- Regarding claim 29, Tiuri does not disclose the geographical location is associated with the "IP" address. However, Tiuri discloses the geographical location is associated with an address. Moreover, Mouko discloses providing IP address to the clients (column 6 lines 52-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the "address" in Tiuri an IP address for the purpose of routing packets in the Internet. One skilled in the art would have been motivated to generate the claimed invention with a reasonable expectation of success.
- With respects to claim 38, in a radio communication network, Tiuri does not disclose a method comprising using geographical location coordinates of a base station to automatically provide an Internet Protocol (IP) address to the base station after the base station is attached to the radio communication network. However, Tiuri discloses a method of using geographical location of a node (figure 1 reference 1) which is interpreted as a base station, to provide an address to the base station wherein the "address is used to route data packets over the network from a remote location to the user" (abstract, column 2 lines 4-11). Moreover, Mouko discloses allocating IP address to a client after verifying its host name (column 2 lines 40-52). For one with the ordinary skill in the art at the time of the invention, the phrase "address is used to route data packets over the network from a remote location to the user" means the address is a unique name or number associated with the

host and when combine with Mouko, it would have been obvious to include in Tiuri the IP address as taught by Mouko.

- Regarding claim 39, analysis for claim 38 is applicable. Moreover, Tiuri discloses a GPS receiver for determining its geographical location (figure 1 reference 2), the base station sending its geographical location to the IP address server (column 2 lines 50-59).
- Regarding claim 40, analysis for claim 38 is applicable. Also, it is obvious that the geographical coordinates for the base station are associated with the IP address by an operations before the base station attached to the radio communication network as described in Tiuri's column 2 lines 16-19, "generated address corresponds to or is mathematically derivable from the determining geographical location." The location's address is pre-defined in software based on the geographical coordinates.

6. Claims 15 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tiuri (US Pat. 6,829,230).

Regarding claims 15 and 33, analysis in claim 14 is applicable. Tiuri does not disclose the entity is a radio base station in a cellular communication system. However, the inventive concept in Tiuri is applicable to any node, wire or wireless, which needs configuration parameter to connect to a packet switched network. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to include in Tiuri a base station in a cellular

network. One skilled in the art would have been motivated to generate the claimed invention with a reasonable expectation of success.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tito Pham whose telephone number is 571-272-8617. The examiner can normally be reached on 8-5 PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tito Pham
Examiner
Art Unit 26671


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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2667 10/21/05